

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ANNE PIERSON
3218 North Dover Road
Silver Lake, Ohio 44224

Plaintiff,

V.

**NORTHSTAR LOCATION
SERVICES, LLC,**
c/o CT CORPORATION SYSTEM
1300 East Ninth Street
Cleveland, Ohio 44114

Defendant.

) Case No: 5:12-cv-2697
)
) JURY DEMAND REQUESTED
)
) **CIVIL COMPLAINT**
) **(Unlawful Debt Collection Practices)**

COMPLAINT

PLAINTIFF, Anne Pierson (Plaintiff), by her attorneys, KAHN AND ASSOCIATES, L.L.C., alleges the following against DEFENDANT, NORTHSTAR LOCATION SERVICES, LLC (Defendant):

INTRODUCTION

1. Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, *15 U.S.C. 1692 et seq.* (FDCPA).

JURISDICTION AND VENUE

2. Jurisdiction of this court arises pursuant to *15 U.S.C. 1692k(d)*, which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy,” and *28 U.S.C. 1367* grants this court supplemental jurisdiction over the state claims contained therein.
3. Because Defendant conducts business in Ohio, personal jurisdiction is established.

4. Venue is proper pursuant to 28 *U.S.C. 1391(b)(2)*.

PARTIES

5. Plaintiff is a natural person who resides in the City of Silver Lake, Summit County, Ohio and is allegedly obligated to pay a debt, and Plaintiff is a “consumer” as that term is defined by 15 *U.S.C. 1692a(3)*.
6. Pursuant to the definitions outlined in 15 *U.S.C. 1692a(1-6)*, Defendant is a debt collector and sought to collect a consumer debt from Plaintiff which was allegedly due and owing from Plaintiff, and Plaintiff is a consumer debtor.
7. Defendant is a New York Limited Liability Company and debt collector with an office in Cheektowaga, New York.
8. Defendant uses instrumentalities of interstate commerce or the mails in a business the principal purpose of which is the collection of any debts, and/or regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due another and is a "debt collector" as that term is defined by 15 *U.S.C. § 1692a(6)*.
9. Defendant is a collection agency that in the ordinary course of business, regularly, on behalf of itself or others, engages in debt collection.

FACTUAL ALLEGATIONS

10. Defendant seeks to collect a consumer debt. The original debt is alleged to be a Chrysler automobile lease transaction that was entered family, household, or personal purposes.
11. In so seeking payment, Defendant places collection calls to Plaintiff seeking to collect this consumer debt at telephone number 330.688.5008. The telephone

number that Defendant calls to reach Plaintiff actually belongs to the Plaintiff's elderly mother.

12. Defendant has spoken to Plaintiff's mother and disclosed the fact that Plaintiff owes a debt. Plaintiff is an adult of sound mind and body, and has never advised or otherwise consented to her mother being contacted by the Defendant, nor has Plaintiff ever consented to Defendant discussing the debt with her mother.

13. Plaintiff has also answered collection calls from Defendant at her mother's telephone number and informed Defendant to cease calling that number because it belongs to her mother, and has specifically advised Defendant that its calls are very upsetting to her mother. Despite being so informed, Defendant continues to place calls to the number. Defendant places these calls with the intent of annoying or harassing the Plaintiff, and also to unlawfully harass her elderly mother, as part of an overall plan to embarrass Plaintiff and coerce the Plaintiff into paying the underlying debt.

COUNT I

DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT

14. Defendant violated the FDCPA based on the following:

- a. Defendant violated §1692c(b) by, without the prior direct consent of the consumer, communicating with any person other than the consumer, his attorney, a consumer reporting agency if otherwise permitted by law, the creditor or attorney's creditor, or the debt collector's attorney.
- b. Defendant violated §1692d by engaging in conduct the natural consequence of which is to harass, oppress, or abuse any person in

connection with the collection of a debt.

- c. Defendant violated §1692f by using any unfair or unconscionable means to collect or attempt to collect a debt.

WHEREFORE, Plaintiff, Anne Pierson, respectfully requests judgment be entered against Defendant, for the following:

15. Statutory damages of \$1000.00 pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*,
16. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*
17. Any other relief that this Honorable Court deems appropriate.

DEMAND FOR JURY TRIAL

Plaintiff, Anne Pierson, requests a jury trial in this case.

Respectfully submitted,

KAHN & ASSOCIATES, LLC

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